IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 906 of 1979

For Approval and Signature:

Hon'ble CHIEF JUSTICE MR DM DHARMADHIKARI
and
Hon'ble MR.JUSTICE RAVI R.TRIPATHI

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

CHOKSHI BHAILAL DAHYABHAI & CO

Versus

UNION OF INDIA

Appearance:

1. Special Civil Application No. 906 of 1979
MR KS NANAVATI for Petitioner No. 1-7
Mr.Jayanat Patel for Respondent No. 1
MR RP BHATT for Respondent No. 2
GOVERNMENT PLEADER for Respondent No. 3

CORAM : CHIEF JUSTICE MR DM DHARMADHIKARI
and
MR.JUSTICE RAVI R.TRIPATHI

Date of decision: 10/09/2001

ORAL JUDGEMENT (Per : CHIEF JUSTICE MR DM DHARMADHIKARI)

In this petition challenge is made to the provisions of the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976. This matter is pending since 1979 only because the office has not been able to get the notice of rule served on the Attorney General.

2. Mr.Jayant Patel, learned Standing Counsel for respondent no.1, who is present states that the Constitutional validity of the Act has been upheld by the Supreme Court of India in the case of Attorney General for India, etc. v. Amratlal Prajivandas and others, AIR 1994 SC 2179. Relying on the said decision of the Supreme Court other cognate matters have already been disposed of by this Court. Learned counsel relied on as well the decision of the Supreme Court in the case of Amratlal Prajivandas and others (supra).

3. We dismiss this petition. Rule is discharged. Interim relief is vacated. There shall be no order as to costs.

(D.M. Dharmadhikari, C.J.)

(Ravi R. Tripathi, J.)

karim